

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1507

House Bill No. 1249

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1.

(a) There is created a federal education funding task force, to be administratively attached to the department of education.

(b) The task force is created to:

(1) Identify:

(A) The amount of federal funding received by this state and by each political subdivision of this state for educational programs or purposes in the current fiscal year;

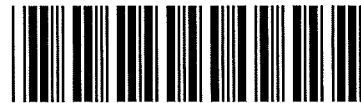
(B) Each federal law, regulation, or program from which this state or a political subdivision of this state received federal funding for educational programs or purposes in the current fiscal year, and whether this state has the option to not comply with, or participate in, the respective federal law, regulation, or program;

(C) How this state and each political subdivision of this state is using, or intends to use, the federal funds it receives for educational programs or purposes in the current fiscal year; and

(D) The stipulations, requirements, or conditions, if any, placed on this state or a political subdivision of this state for its receipt of federal funds for educational programs or purposes;



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(2) Advise the administration and general assembly on the feasibility of this state and each political subdivision of this state rejecting federal funding for educational programs or purposes to provide this state with the flexibility and opportunity to establish its own educational goals, requirements, and measures to better serve teachers and students; and

(3) Recommend a strategic action plan to guide the administration and general assembly on how to reject federal funding for educational programs or purposes and how to eliminate restrictions placed on this state due to this state's receipt of federal funding for educational programs or purposes.

(c) The task force is composed of eleven (11) members as follows:

(1) The commissioner of education;

(2) Three (3) members of the senate appointed by the speaker of the senate;

(3) Three (3) members of the house of representatives appointed by the speaker of the house of representatives;

(4) One (1) director of schools appointed by the speaker of the senate;

(5) One (1) director of schools appointed by the speaker of the house of representatives;

(6) One (1) teacher appointed by the speaker of the senate; and

(7) One (1) teacher appointed by the speaker of the house of representatives.

(d)

(1) Members of the task force serve without compensation for their services, but may be reimbursed for travel expenses in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(2) Vacancies among the members of the task force must be filled in the same manner as in the original selection of members.

(3) In making appointments, the speaker of the senate and the speaker of the house of representatives shall strive to ensure that members of the task force are inclusive and reflect the geographic, urban, rural, and economic diversity of this state and are diverse in race, sex, and experience.

(4)

(A) The commissioner shall serve as chair, and shall call the first meeting of the task force no later than August 1, 2023, at which time the members shall elect a first vice chair and second vice chair.

(B) No later than August 31, 2023, the commissioner shall contact the United States department of education to discuss this state's interest in potentially rejecting federal funding for educational programs and purposes to assist the task force in its feasibility study and to initiate any processes or procedures that may be required by the federal government in order for this state to reject or refuse receipt of future federal funding.

(5) The task force shall meet at least monthly. The chair may call special meetings whenever necessary for the transaction of business. The chair shall notify each member of the task force of any special meeting at least five (5) days before the time fixed for the special meeting. A majority of the members of the task force may petition the chair to call a special meeting, in which case the chair shall call a special meeting.

(6) The task force may conduct meetings by conference call or video conference in accordance with the requirements of § 8-44-108.

(e) The task force shall agree upon any findings and recommendations by a majority vote of the total membership of the task force. A majority of the members of the task force constitutes a quorum for the purpose of meeting and conducting business.

(f)

(1) The chair of the task force may call on appropriate state agencies for reasonable assistance in the work of the task force.

(2) The task force shall consult with representatives from the department of education, the Tennessee education association, the Tennessee school boards association, and the Tennessee organization of school superintendents for purposes of this act.

(g) The task force shall develop a strategic action plan to guide the administration and general assembly on whether it is feasible for this state and the political subdivisions of this state to reject federal funding for educational programs or purposes, the process required for this state to reject such funding in the future, and how to eliminate restrictions placed on this state due to this state's receipt of federal funding for educational programs or purposes. The task force's strategic plan must be provided to the governor and general assembly no later than December 1, 2023.

(h) This act is repealed on December 1, 2023, unless reenacted or extended by the general assembly prior to that date.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

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Comm. Amdt. _____

AMEND Senate Bill No. 1266

House Bill No. 692*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-1-602(b)(2)(C), is amended by deleting the subdivision.

SECTION 2. Tennessee Code Annotated, Section 49-1-614(b), is amended by designating the current subsection as subdivision (b)(1) and adding the following as a new subdivision:

(2) Notwithstanding subdivision (b)(1), the commissioner shall not directly operate or enter into, or renew, a contract with an individual, governmental entity, or nonprofit entity for the individual or entity to manage the day-to-day operations of a school placed in the ASD.

SECTION 3. Tennessee Code Annotated, Section 49-1-614(c), is amended by deleting subdivisions (c)(1)-(3) and substituting:

(1) The commissioner shall not assign a school or grade configuration within a school to the ASD, regardless of a school's designation as priority status pursuant to § 49-1-602.

SECTION 4. Tennessee Code Annotated, Section 49-1-614(k)(1)(A), is amended by deleting the subdivision and substituting:

A school that has been removed from the LEA and placed in the ASD must remain in the ASD until the school is no longer identified as a priority school pursuant to § 49-1-602 for two (2) consecutive cycles beginning with the 2017 priority school list, or, if the school is being operated by an individual or entity pursuant to a contract with the



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commissioner for the management of the school pursuant to subdivision (b)(1), until the contract expires, whichever occurs first.

SECTION 5. Tennessee Code Annotated, Section 49-1-614(k)(1)(C), is amended by deleting the subdivision.

SECTION 6. Tennessee Code Annotated, Section 49-1-614(k)(4), is amended by deleting the first sentence of the subdivision and substituting:

If an ASD school may be removed from the ASD pursuant to subdivision (k)(1), then the commissioner, in consultation with the LEA, shall implement the transition plan developed and approved by the commissioner pursuant to subdivision (k)(1)(B).

SECTION 7. Tennessee Code Annotated, Section 49-1-614(n), is amended by deleting the subsection.

SECTION 8. The department of education shall, no later than July 1, 2023, submit a request to the United States department of education to amend this state's Every Student Succeeds Act (ESSA) plan for purposes of implementing this act.

SECTION 9. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding the following as a new section:

(a) This section is known and may be cited as the "Tennessee Education Achievement Portal Act."

(b) The department of education shall create and, by July 1, 2024, administer a Tennessee education achievement portal that provides each LEA with access to educational supports and notifies LEAs of educational grant opportunities.

(c) The Tennessee education achievement portal must include:

(1) Professional development resources for educators;

(2) Guidance for LEAs providing foundational literacy skills instruction, as defined in § 49-1-903, to students;

(3) Instructional materials and strategies for LEAs to use for purposes of the learning loss remediation and student acceleration program pursuant to chapter 6, part 15 of this title;

(4) Best practices to help educators develop students into proficient readers;

(5) Notification to LEAs of available state or federal grant opportunities;

(6) Enhanced educational supports for a school identified as a priority school to improve the school's performance goals and measures, which may include contracting with independent school turnaround experts that meet the minimum qualifications required by the department pursuant to § 49-6-3707; and

(7) Resources for LEAs to use to enhance a student's performance on an assessment required pursuant to § 49-6-6001(b)(1), a Tennessee comprehensive assessment program test, or an end-of-course examination.

SECTION 10. Sections 8 and 9 of this act take effect upon becoming a law, the public welfare requiring it. Sections 1-7 of this act take effect on the thirtieth day immediately following the date on which the United States department of education approves the amendment to this state's Every Students Succeeds Act (ESSA) plan submitted pursuant to Section 8 of this act, the public welfare requiring it. The commissioner of education shall notify the executive secretary of the Tennessee code commission in writing of the date on which the United States department of education approved the amendment to this state's ESSA plan. If the United States department of education does not approve the amendment to this state's ESSA plan, then Sections 1-7 of this act shall have no effect.

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AMEND Senate Bill No. 899*

House Bill No. 1332

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-2-301(b)(1), is amended by deleting subdivision (DD).

SECTION 2. Tennessee Code Annotated, Section 49-2-301(b)(1)(EE)(i), is amended by deleting "dismiss any" and substituting "dismiss a nonlicensed employee or a" and adding "nonlicensed or" after "no".

SECTION 3. Tennessee Code Annotated, Section 49-2-301(b)(1)(EE)(iii), is amended deleting "Any" and substituting "A nonlicensed employee or a".

SECTION 4. Tennessee Code Annotated, Section 49-7-119(a)(1)(A), is amended by adding "or full-time educational assistant" immediately after "teacher".

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.



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AMEND Senate Bill No. 300*

House Bill No. 437

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-3115(a)(2)(A), is amended by adding the following as a new subdivision:

(vi) The student demonstrates proficiency in ELA standards based on the student's scoring in at least the fiftieth percentile on the most recently administered benchmark assessment provided by the state, if the benchmark assessment is administered to the student in a test format and in a test environment, as determined by the department; and

SECTION 2. Tennessee Code Annotated, Section 49-6-3115(d), is amended by deleting the subsection and substituting instead the following:

(d) The state board of education shall promulgate rules to establish an appeal process, to be administered by the department, for a student who is identified for retention in third grade pursuant to subsection (a) based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test. The rules must provide:

(1) That if an appeal is filed, the filing must be made by the student's parent or guardian unless the student's parent or guardian consents, in writing, to a principal, guidance counselor, teacher, or another administrator of the student's school filing the appeal, in which case an appeal may be filed by such individual; and



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(2) The process by which a principal, guidance counselor, teacher, or another administrator of the student's school obtains the written consent of a student's parent or guardian that is sufficient for purposes of filing an appeal on behalf of the student's parent or guardian.

SECTION 3. Tennessee Code Annotated, Section 49-6-3115, is amended by adding the following as a new subsection:

(e)

(1) Beginning with the 2023-2024 school year, a student who is retained in any of the grades kindergarten through three (K-3) must be assigned a tutor to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department.

(2) The department may procure up to three (3) online tutoring providers that LEAs and public charter schools may use to provide online tutoring services to students pursuant to subdivision (e)(1). The department's chief procurement officer is authorized to approve an emergency purchase of online tutoring providers pursuant to this subdivision (e)(2) using procurement methods authorized in § 12-3-505 and the department of general services' central procurement office's rules.

SECTION 4. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, Section 3 of this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, all other sections of this act take effect July 1, 2023, the public welfare requiring it.

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Comm. Amdt. _____

AMEND Senate Bill No. 1008

House Bill No. 456*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-1503(a)(1), is amended by deleting the last sentence in the subdivision and substituting:

LEAs and participating public charter schools shall conduct summer learning camps and after-school learning mini-camps annually beginning in the summer of 2021;

SECTION 2. Tennessee Code Annotated, Section 49-6-1503(b)(1)(A), is amended by deleting the last sentence in the subdivision and substituting:

LEAs shall conduct after-school learning mini-camps and summer learning camps annually beginning in the summer of 2021;

SECTION 3. Tennessee Code Annotated, Section 49-6-1503(a)(3), is amended by deleting the subdivision and substituting:

Providing training, technical assistance, guidance, and instructional materials and strategies to LEAs and participating public charter schools conducting after-school learning mini-camps, learning loss bridge camps, and summer learning camps;

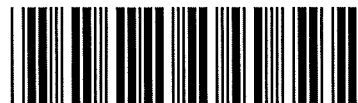
SECTION 4. Tennessee Code Annotated, Section 49-6-1503(a), is amended by adding the following as new subdivisions:

(7) Ensuring that the instruction provided to students through the learning loss remediation and student acceleration program is aligned to state academic standards;
and

(8) Ensuring that licensed teachers provide instruction to students through the learning loss remediation and student acceleration program.



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SECTION 5. Tennessee Code Annotated, Section 49-6-1503, is amended by adding the following as a new subsection:

Each LEA and public charter school that provides instruction to students through the learning loss remediation and student acceleration program shall ensure that the instruction is aligned to state academic standards.

SECTION 6. Tennessee Code Annotated, Section 49-6-1509, is amended by deleting subdivision (b)(3) and substituting:

(3) By November 1 of each year, the report must be posted on the department's website and submitted to each LEA and participating public charter school, the governor, and the general assembly.

SECTION 7. Tennessee Code Annotated, Section 49-6-1509, is amended by adding the following as a new subsection:

(d) The department, each LEA, and each participating public charter school shall:

(1) Review the report each year to determine if changes should be made to the after-school learning mini-camps, learning loss bridge camps, or summer learning camps to improve student achievement; and

(2) Implement any changes necessary that the department approves to the after-school learning mini-camps, learning loss bridge camps, or summer learning camps based upon the review in subdivision (d)(1).

SECTION 8. Tennessee Code Annotated, Section 49-6-3115, is amended by deleting the section and substituting instead the following:

(a) A student may be retained in the third or fourth grade if the student's English language arts (ELA) teacher, or the student's school principal, determines:

(1) That the student is not proficient in ELA:

(A) Based on the student's achieving a performance level rating of "approaching" or "below" on the ELA portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test;

(B) Based on the student's testing below proficient in ELA on one (1) or more of the state-adopted benchmark assessments administered to the student during the school year; or

(C) Because the student has not shown a basic understanding of the ELA curriculum or an ability to perform the skills required in ELA, as demonstrated by the student's grades or standardized test results; and
(2) That retention may benefit the student.

(b)

(1) If a student's ELA teacher or school principal determines that the student is not proficient in ELA and that retention may benefit the student, then the student's ELA teacher or school principal shall notify the student's parent or legal guardian in writing of the potential retention decision no later than March 1. The written notice must inform the student's parent or legal guardian that the student may be promoted to the next grade level if the student:

(A) Attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a ninety percent (90%) attendance rate at the camp, and demonstrates growth, as determined by the ELA teacher or school principal who recommended retention for the student, on the post-test administered to the student at the end of the learning loss bridge camp, as required under § 49-6-1502(4)(F); or

(B) Is assigned a tutor through the Tennessee accelerating literacy and learning corps (TALLC) to provide the student with tutoring services for the entirety of the upcoming school year.

(2) Notwithstanding subdivisions (b)(1)(A)-(B), a student's ELA teacher or school principal is not required to inform a student's parent or legal guardian of one (1) or more of the potential alternatives to retention identified in subdivisions (b)(1)(A)-(B) if the alternative to retention is not available to the student.

(c) A student shall not be retained pursuant to subsection (a) if:

(1) The student is an English language learner and has received less than two (2) years of ELA instruction;

(2) The student was previously retained in any of the grades kindergarten through three (K-3);

(3) The student is retested before the beginning of the upcoming school year and scores proficient in ELA;

(4) The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a ninety percent (90%) attendance rate at the camp, and demonstrates growth, as determined by the ELA teacher or school principal who recommended retention for the student, on the post-test administered to the student at the end of the learning loss bridge camp, as required under § 49-6-1502(4)(F); or

(5) The student is assigned a tutor through the TALLC to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department.

(d) A student shall not be retained in the third or fourth grade more than once.

(e) Subject to available funding, and to the extent authorized by federal law, LEAs and public charter schools may use temporary assistance for needy families (TANF) program funds to cover up to fifty percent (50%) of the costs associated with providing tutoring services for students pursuant to subdivision (c)(5).

(f) LEAs and public charter schools shall not retain a student based on the student's disability or suspected disability.

(g) The state board of education shall promulgate rules to establish an appeal process, to be administered by the department, for a student who is identified for retention pursuant to subsection (a). The rules must provide that only the student's parent or legal guardian may file an appeal. The rules must be promulgated according to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 9. Tennessee Code Annotated, Section 49-1-905(d)(4), is amended by deleting the language "mandatory retention under § 49-6-3115(a)(1)" and substituting instead the language "retention under § 49-6-3115".

SECTION 10. This act takes effect upon becoming a law, the public welfare requiring it, except that sections 8 and 9 take effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

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Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 819*

House Bill No. 1412

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3115, is amended by deleting the section and substituting:

(a) This section is known and may be cited as the "Tennessee Elementary Reading Proficiency Act."

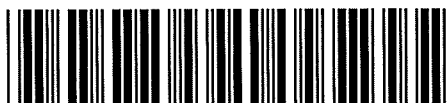
(b)

(1) Beginning with the 2023-2024 school year, a student in any grade kindergarten through three (K-3) shall not be promoted to the next grade level unless the student is determined to be proficient:

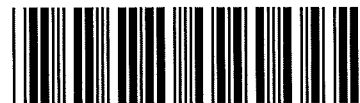
(A) In reading based on the student who correctly answered at least forty percent (40%) of the questions on each Tennessee universal reading screener, or each universal reading screener approved by the state board of education, administered to the student in the most recent school year;

(B) In reading based on the student who correctly answered at least forty percent (40%) of the questions on the state-adopted benchmark assessments administered to the student in the most recent school year; or

(C) In English language arts (ELA) based on the student's achieving a performance level rating of "on track", "mastered", or "advanced" on the ELA portion of the student's most recent Tennessee



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comprehensive assessment program (TCAP) test. For purposes of this subdivision (b)(1)(C), the ELA portion of the TCAP test excludes the writing portion.

(2) Notwithstanding subdivision (b)(1), a student who is not proficient pursuant to subdivision (b)(1) may be promoted to the next grade level if:

(A) The student is an English language learner;

(B) The student was previously retained in any of the grades kindergarten through three (K-3);

(C) The student is retested before the beginning of the next school year and correctly answers at least forty percent (40%) of the questions on the Tennessee universal reading screener or a state-board-approved universal reading screener;

(D) The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a ninety percent (90%) attendance rate at the camp, and the student's performance on the post-test administered to the student at the end of the learning loss bridge camp, as required under § 49-6-1502(4)(F), demonstrates adequate growth, as determined by the department;

(E) The student is assigned a tutor through the Tennessee accelerating literacy and learning corps (TALLC) to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department;

(F) The student will be nineteen (19) years of age on or before September 1 of the student's senior year of high school; or

(G) The student's LEA or public charter school determines that the student should be promoted to the next grade level. If a student is promoted pursuant to this subdivision (b)(2)(G), then the LEA or public

charter school shall justify the reason for the student's promotion in the student's education record.

(c) Subject to available funding, and to the extent authorized by federal law, LEAs and public charter schools may use temporary assistance for needy families (TANF) program funds to cover up to fifty percent (50%) of the costs associated with providing tutoring services for students pursuant to subdivision (b)(2)(E).

(d)

(1) Subsection (b) does not supersede an LEA's or public charter school's obligation to comply with the federal Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) or Section 504 of the federal Rehabilitation Act (29 U.S.C. § 794).

(2) LEAs and public charter schools shall not retain a student based on the student's disability or suspected disability.

(e)

(1) Each LEA and public charter school shall annually report to the department the number of students in any of the grades kindergarten through three (K-3) that the LEA or public charter school retained in the most recent school year and the reason for each retention.

(2) All student information must be maintained in accordance with the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), § 10-7-504, and all other applicable state and federal privacy laws.

SECTION 2. Tennessee Code Annotated, Section 49-1-905, is amended by deleting subdivision (d)(4) and substituting:

(4) Information about retention pursuant to § 49-6-3115 for students in any of the grades kindergarten through three (K-3).

SECTION 3. Tennessee Code Annotated, Section 49-1-905(c)(4), is amended by deleting the subdivision and substituting:

(A) The Tennessee universal reading screener and each universal reading screener approved by the state board must be nationally normed.

(B) As used in this subdivision (c)(4):

(i) "Nationally normed" means that screener scores, classifications, and score distribution percentiles are reported and calibrated using a representative national sample; and

(ii) "National sample" means a sample of students that represents the population of the United States students that is able to produce valid and reliable scores for classifying and identifying students. A national sample for universal screeners consists of at least one hundred fifty (150) students in each of at least three (3) of nine (9) United States Census Bureau divisions sampled before the year 2020 and may include any needed statistical transformations required to achieve demographic representativeness.

SECTION 4. Tennessee Code Annotated, Section 49-6-1503(a)(1), is amended by deleting the last sentence in the subdivision and substituting:

LEAs and participating public charter schools shall conduct summer learning camps and after-school learning mini-camps annually beginning in the summer of 2021;

SECTION 5. Tennessee Code Annotated, Section 49-6-1503(b)(1)(A), is amended by deleting the last sentence in the subdivision and substituting:

LEAs shall conduct after-school learning mini-camps and summer learning camps annually beginning in the summer of 2021;

SECTION 6. Tennessee Code Annotated, Section 49-6-1503(b)(1)(C), is amended by deleting "Subject to available funding, providing" and substituting "Providing".

SECTION 7. Tennessee Code Annotated, Section 49-6-1507(b), is amended by deleting the subsection and substituting:

The department shall provide TALLC grants to LEAs and public charter schools to increase the number of TALLC members that are available in a community to provide high-quality tutoring services to students.

SECTION 8. Tennessee Code Annotated, Section 49-6-1508, is amended by adding the following as a new subsection:

(e)

(1) The state-adopted benchmark assessments must be nationally normed.

(2) As used in this subsection (e):

(A) "Nationally normed" means that screener scores, classifications, and score distribution percentiles are reported and calibrated using a representative national sample; and

(B) "National sample" means a sample of students that represents the population of the United States students that is able to produce valid and reliable scores for classifying and identifying students.

SECTION 9. Tennessee Code Annotated, Section 49-6-6009(a), is amended by deleting the subsection and substituting:

(a) The department of education shall annually release the Tennessee comprehensive assessment program (TCAP) and end-of-course examination blueprints to each LEA and post the information on the department's website.

SECTION 10. Tennessee Code Annotated, Section 49-6-6009, is amended by adding the following as a new subsection:

(c)

(1) Beginning in the 2023-2024 school year, the department shall use a nationally-normed scoring methodology for the TCAP and end-of-course examinations.

(2) As used in this subsection (c):

(A) "Nationally normed" means that screener scores, classifications, and score distribution percentiles are reported and calibrated using a representative national sample; and

(B) "National sample" means a sample of students that represents the population of the United States students that is able to produce valid and reliable scores for classifying and identifying students.

SECTION 11. This act takes effect upon becoming a law, the public welfare requiring it.